

### ***Drawings***

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the newly introduced limitation of claims 1,9: " **...significant quantity at which one brightness level occurs...**" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Specification***

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

The newly introduced limitation of claims 1,9: “...**significant quantity at which one brightness level occurs**...” is not described in the Specification.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

1. Claims 1-2,5-10,13-18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The newly introduced limitation of claims 1,9: “...**significant quantity at which one brightness level occurs**...” is not described in the Specification or shown in Figures.

Claims 2,5-8,10,13-18 depend on claim 1,9.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-2,5-10,13-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is not clear, what is a significant quantity and what is one brightness level as recited in independent claims 1,9?

Claims 2,5-8,10,13-18 depend on claim 1,9.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2,9-10,15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshiya (JP 05-075951).

As to claim 1, Yoshiya teaches method for driving display means having a predefined display area for displaying, a video image being smaller than the display area in order to suppress the marking effect and to limit the disturbing effect of unused display sections (paragraphs 0001,0007-0008) comprising the steps of providing a video signal for displaying a video image being smaller than said display area, so that one or more unused display sections remain on the display area (fig. 6, items L1-L2, paragraph 0004), and

driving said one or more unused display sections with at least one predetermined signal (fig. 6, items L1-L2, paragraphs 0007-0008),

wherein said at least one predetermined signal is computed on the basis of one or more analysing areas within said display area, directly abutting on said one or more unused areas (drawing 6, items L1-L2, paragraph 0024) and wherein said at least one predetermined signal is computed by evaluating the quantity of similar brightness level in said analysing areas and by selecting a brightness level according to significant quantity at which brightness level occur in said analyzing area abutting on said one or more unused areas in order to suppress the marking effect and to limit the disturbing effect of the unused display sections (drawing 6 (b), items L1-L2, par. 8, Constitution).

Yoshiya teaches inserting the average level of the video signal into margin section (consitution).

Yoshiya does not disclose predetermined signal is computed by evaluating the quantity of similar brightness level in said analyzing areas and by selecting a brightness level according to significant quantity at which brightness level occur in said analyzing area abutting on said one or more unused areas.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention to substitute significant quantity at which brightness level occur with the average level in order in order to suppress the marking effect and limit the disturbing effect of the unused display sections, as recited in claim 1.

As to claim 9, Yoshiya teaches device for driving display means having a predefined display area for displaying, a video image being smaller than the

display area in order to suppress the marking effect and to limit the disturbing effect of unused display sections (paragraphs 0001,0007-0008) comprising:

determining means for determining one or more unused display sections remaining on the display area when driving display means with predetermined video signal (fig. 1, items 7-8, paragraphs 0012-0013), , and

driving means connected to said determining means for driving said one or more unused display sections with at least one predetermined signal, said at least one predetermined signal being variable in accordance with said video signal (fig. 1, items 7-9, paragraphs 0012-0013 and fig. 6, items L1-L2, paragraphs 0007-0008), and

wherein said at least one predetermined signal is computed on the basis of one or more analyzing areas within said display area, said one or more analyzing areas directly abutting on said one or more unused areas (drawing 6, items L1-L2, paragraph 0024) and wherein said at least one predetermined signal is computed by evaluating brightness values concerning the quantity at which brightness level occur in one of said analyzing areas and by selecting a brightness level according to significant quantity at which brightness level occur in a present video signal for displaying a video image in said analyzing area abutting on said one or more unused areas in order to suppress the marking effect and to limit the disturbing effect of the unused display sections (drawing 6 (b), items L1-L2, par. 8, Constitution).

Yoshiya teaches inserting the average level of the video signal into margin section (constitution).

Yoshiya does not disclose predetermined signal is computed by evaluating the quantity of similar brightness level in said analyzing areas and by selecting a brightness level according to significant quantity at which brightness level occur in said analyzing area abutting on said one or more unused areas.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention to substitute significant quantity at which brightness level occur with the average level in order in order to suppress the marking effect and limit the disturbing effect of the unused display sections, as recited in claim 1.

As to claims 2,10 Yoshiya teaches unused sections include sidebars (fig.6, item L2).

As to claims 15-18 Yoshiya teaches driving means is capable of limiting the brightness of said at least one predetermined signal to a maximum brightness below the maximum practical brightness of the luminous elements of said display means (in the reference average level)(see constitution).

3. Claims 5-8,13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshiya as applied to claims 5,11 above, and further in view of Milch et al. (US 7,002,593 B2).

As to claims 5-6,13-14 Yoshiya teaches taking a medium brightness of said significant part for said at least one predetermined signal (constitution).

Yoshiya does not disclose at least one predetermined signal is computed by evaluating a histogram of brightness values of one of said analysing areas by applying a threshold to histogram in order to obtain a significant part of the histogram.

Milch et al. teaches at least one predetermined signal is computed by evaluating a histogram of brightness values of one of said analysing areas by applying a threshold to histogram in order to obtain a significant part of the histogram (col. 3, lines 10-32).

It would have been obvious to of ordinary skill in the art at the time of the invention to incorporate teachings of Milch et al. into Yoshiya system in order to reduce power consumption (col. 1, lines 6-9 in Milch et al. reference).

As to claims 7-8 Yoshiya teaches driving means is capable of limiting the brightness of said at least one predetermined signal to a maximum brightness below the maximum practical brightness of the luminous elements of said display means (in the reference average level)(see constitution).

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1-2,5-10,13-18 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Telephone inquire***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonid Shapiro whose telephone number is 571-272-7683. The examiner can normally be reached on 8 a.m. to 5 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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